

(53)

COPY

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TENSAS Parish DETENTION CENTER
South
HC-62-P.O.Box 500
Waterproof, LA. 71375
DATE, Oct, 18, 2002
Desmond V. GAYLE
I-N.S# A74-891-110
signature of D.V. Gayle

To: The Clerk of Court,
MARY, E.D. ANDREA.

United States District Court
FOR the Middle District of PENNSYLVANIA
William J. Nealon Federal Building
235 North Washington Ave SCRANTON
P.O. Box 1148 FILED
OCT 24 2002
SCRANTON, PA. 18501

PER OPR
DEPUTY CLERK

Civil No. 1:CV-01-1282

Judge William W. Caldwell

PLAINTIFF'S BRIEF IN Opposition to
DEFENDANTS' Motion FOR
Summary Judgment

(M.D. PA. Local Rule 7.6)

Page two Brief In Opposition

PARAGRAPH ON About July, 2001 Plaintiff

① Desmond V. Gayle filed a Civil-Rights Complaint. In the Complaint, Gayle Complained that he WAS place IN the Behavioral Adjustment Unit at the YORK County Prison, Where he WAS Fed Food-loaf, Which CAUSED him to suffer PAIN And URINARY Bleeding ; Along with Blood passing in his stool.

PARAGRAPH I DESMOND V. Gayle WAS NOT guilty of the Accusations against me, that Resulted in sixty (60) DAYS placement in the Behavioral Adjustment Unit. I appealed the decision to Deputy Warden Bowen, who reviewed the matter and denied the Appeal.

During My sickness I Asked the Assistant - Physician to change the Diet giving to me because it WAS MAKING me sick, She told me she CAN'T, she said to me; ONLY the WARDEN HOGAN CAN change

Page three Brief IN Opposition

Paragraph I have written to the warden

③ Thomas Hogan to have him
change the diet, But he had
Refused to do so, I explain
to him my damaging Health
Condition, but he done nothing
to stop it or help me.

I have written two
separate request to the
Commissioners of York
County Prison Board

Commissioner DONAHUE
Responded to my request telling
me that he is going along with
whatever WARDEN Hogan said.

I WAS shock in belief
Because NoBody ~~CARE~~ CARE about
my health.

I said to my self While in
great PAIN, Please god don't
let my Died in PRISON please
Keep me Alive, And my PRAYER
WAS ANSWERED.

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PARAGRAPH AFTER THE ASSISTANT PHYSICIAN
④ detect or saw blood in my
urinalysis testing she order
A Medication From the Pharmacy
Called "BACTRUM" and gave it
to me twice, that was the help
I got From God.

This Medication stop
the bleeding in my Urinary
System, I was Relief.

thanks to the scientist
who invented BACTRUM.

PARAGRAPH this is FACTUAL EVIDENCE

⑤ Recorded in my Medical File
While I WAS INCARCERATED
at the YORK County Prison
I AM ASKING the Court to Review
My Medical File Clearly and
see exactly my point of view
And evidence.

The Medical Department at
YORK County prison have violated
my Eighth Amendment civil Rights

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Brief In Opposition

PARAGRAPH A NON-MOVING PARTY MUST MAKE A

⑥ Showing sufficient to establish
the EXISTENCE of every ELEMENT
ESSENTIAL to his CASE, BASED ON
the RECORDS ON FILE.

ASTORI v. BELL TELEPHONE CO. OF PA.,

24 F.3d. 508 (3RD CIR. 1994).

It is UNDERSTOOD that ALL INFERENCES,
however, should be DRAWN in the
light.

PARAGRAPH I DESMOND V. Gayle Asking
⑦ the COURT to PROSECUTE the
DEFENDANTS AND dismiss the
Defendants Motion FOR
SUMMARY Judgment,

I AM ALSO ASKING the COURT
to ORDER the Defendants
to COMPENSATE me WITH A
Settlement of (\$600,000.00)
six Hundred thousand DOLLARS.

IN The United States
District Court
FOR the Middle District of Pennsylvania
Desmond V. Gayle | civil No. 3:CV-01-1282
PLAINTIFF |
WARDEN HOGAN And | Judge :
DEPUTY BOWEN, | (William W. Caldwell)
Defendants. |

Certificate of Service

I, Desmond V. Gayle, hereby certify
that a true and correct copy of
the foregoing Brief IN Opposition
to Defendants Motion FOR
SUMMARY Judgment, WAS CAUSED
to be SERVED ON the date shown
below by depositing same in the
United States Mail, Postage PAID,
Addressed AS Follows:

DONALD L REIKART, Esq.
Sup. Ct. I.D. #07421
2600 Eastern Boulevard, Suite 204

(Date Oct 18 2002) York, PA 17402-2904